

\*\*E-filed 5/30/07\*\*

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Attorneys for Plaintiffs.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

CARL K. RICH, and DAVID DURAN,  
on Behalf of Themselves and All Others  
Similarly Situated, as Well as on Behalf  
of the General Public and Acting in the  
Public Interest,

Plaintiffs,

vs.

HEWLETT-PACKARD COMPANY, a  
California Corporation; and DOES 1  
through 250, inclusive;

Defendants.

CASE NO. C-06-03361-JF (HRL)

**STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE THE  
DEADLINE TO COMPLETE THE  
ADR PROCESS**

[N.D. Cal. Local Rule 6-1(b)]

1 Through this Joint Stipulation and [Proposed] Order Plaintiffs Carl Rich and David  
2 Duran ("Plaintiffs") and Defendant Hewlett-Packard Company ("Defendant") agree to continue  
3 the deadline to complete the ADR process to and including July 13, 2007. The parties hereby  
4 request that the Court approve this extension pursuant to Civil L.R. 6-1(b).

5  
6 **JOINT STIPULATION**

7 WHEREAS the parties previously filed their stipulation selecting an ADR process  
8 pursuant to Civil L.R. 16-8 and ADR L.R. 3-5;

9 WHEREAS the parties' stipulation provided for private, non-binding mediation to be  
10 completed by February 28, 2007;

11 WHEREAS, pursuant to Civil L.R. 6-1(b), the parties' subsequent stipulation provided  
12 for a continuation of the ADR completion deadline for ninety days, to and including May 29,  
13 2007;

14 WHEREAS, despite their diligent efforts, it took the parties longer than expected to agree  
15 upon a mediator for this case;

16 WHEREAS the parties have now selected the Hon. James L. Warren (Ret.) to serve as  
17 the mediator for this action;

18 WHEREAS the parties are presently in the process of scheduling a mediation date before  
19 the Hon. James L. Warren (Ret.) for late June or early July;

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1 ACCORDINGLY, pursuant to Local Rule 6-1(b), the parties, by and through their  
2 counsel of record, hereby stipulate to, and request the Court's approval of an extension of the  
3 deadline to complete the ADR process to and including July 13, 2007.

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5 **IT IS SO STIPULATED.**


6  
7 DATED: May 29, 2007

**GIBSON, DUNN & CRUTCHER LLP**

8  
9 By   
10 SAMUEL G. LIVERSIDGE  
11 *Attorneys for Defendant Hewlett-Packard Company*

12  
13 DATED: May 29, 2007

  
14 **KABATECK BROWN KELLNER LLP**

15 By   
16 BRIAN S. KABATECK  
17 RICHARD L. KELLNER  
18 *Counsel for Plaintiffs and the class*

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24 *Counsel for Plaintiffs and the class*


25 **MCNICHOLAS & MCNICHOLAS**  
26 PATRICK MCNICHOLAS  
27 *Counsel for Plaintiffs and the class*

1 **[PROPOSED] ORDER**

2 Pursuant to the parties' stipulation, the deadline to complete private non-binding  
3 mediation in the above-captioned matter is hereby continued to July 13, 2007.

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5 **IT IS SO ORDERED.**

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7 DATED: 5/30/07

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9 THE HONORABLE JEREMY FOGEL  
10 UNITED STATES DISTRICT JUDGE  
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**PROOF OF SERVICE****STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 644 South Figueroa Street, Los Angeles, California 90017.

On **May 29, 2007**, I served the foregoing document described as: **STIPULATION AND [PROPOSED] ORDER TO CONTINUE THE DEADLINE TO COMPLETE THE ADR PROCESS** on the interested parties in this action:

**SEE ATTACHED SERVICE LIST**

☒ **VIA U.S. MAIL** - I deposited such envelope(s) with the United States Postal Service, enclosed in a sealed envelope, for collection and mailing with the United States Postal Service where it would be deposited for first class delivery, postage fully prepared, in the United States Postal Service that same day in the ordinary course of business. I am readily familiar with my employer's business practice for collection and processing of correspondence for mailing with the United States Postal Service.

☐ **VIA FACSIMILE TRANSMISSION** - by use of facsimile machine, I served a copy of the document(s) on interested parties by transmitting by facsimile machine to said interested party. The facsimile machine I used complied with California Rules of Court, rule 2002, and no error was reported by the machine. Pursuant to California Rules of Court, Rule 2006(d), I caused the machine to print a transmission record of the transmission, a copy of which is attached to this declaration FAX No. (213) 217-5010 to the FAX number(s) listed next to such interested party. The facsimile machine I used complied with Rule 2003(3) and no error was reported by the machine.

☐ (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ (FEDERAL) I declare under penalty of perjury that the foregoing document(s) were printed on recycled paper and that this Certification of Service was executed by me on June 21, 2006, at Los Angeles, California.

Executed on **May 29, 2007**, at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

  
 IRMA DELEON

**SERVICE LIST**

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